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RUEHAK/AMEMBASSY ANKARA 3661  
RUEHBJ/AMEMBASSY BEIJING 1479  
RUEHKO/AMEMBASSY TOKYO 1346  
RUEHIT/AMCONSUL ISTANBUL 1915  
RUEHVEN/USMISSION USOSCE 2434  
RHMFIUU/CDR USCENCOM MACDILL AFB FL  
RHEHNSC/NSC WASHDC  
RUEAIIA/CIA WASHDC  
RHEFDIA/DIA WASHDC  
RUEKJCS/JOINT STAFF WASHDC  
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SENSITIVE

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SUBJECT: TURKMENISTAN: INSTITUTE FOR DEMOCRACY SEES ICNL AND USAID  
AS VALUABLE PARTNERS

REF: A. ASHGABAT 0331

[1](#)B. ASHGABAT 0206

[1](#)C. ASHGABAT 0099

[1](#)1. (U) Sensitive but unclassified. Not for public Internet.

[1](#)2. (SBU) SUMMARY: Following an April 4 conference on NGO legislation jointly hosted by the International Center for Not-for-profit-Law (ICNL) and Turkmenistan's Institute for Democracy and Human Rights (IDHR), the Institute's director and USAID/ICNL agreed on a detailed program of activities for the next year, including similar activities related to Turkmenistan's Law on Religion, a study-tour to Hungary to see European and international best practices on the Regulation of NGOs, follow-up activities to suggest specific legislative revisions based on observations from study-tours, and the provision of a considerable quantity of legal materials for the Institute's review and/or publication in its journals. ICNL and IDHR agreed on a timetable for review of the Law on Religion, with USAID formally submitting recommendations to IDHR and MFA in June. Although it appears that the IDHR's director has a great deal of latitude, the challenge ahead will be to move from receiving information on international experience to developing laws that reflect such standards. END SUMMARY.

AGGRESSIVE PLANS FOR NEXT YEAR PROPOSED AFTER SEMINAR

[1](#)3. (SBU) On April 5, following an April 4 conference jointly hosted by International Center for Not-for-profit-Law and Turkmenistan's Institute for Democracy and Human Rights, Institute Director Shirin Ahmedova invited ICNL's visiting Senior Vice-President, Natalia Bourjaily, to discuss follow-up activities and new ideas for expanded cooperation. As a first step, ICNL agreed to share informally with IDHR the draft of the Analysis and Recommendations on Turkmen legislation relating to public associations. Ahmedova agreed that IDHR will review the draft and provide recommendations on how to present the analysis in a formal manner by the end of May. In June, after incorporating IDHR's recommendations, ICNL will formally submit these recommendations to IDHR via USAID and the

Ministry of Foreign Affairs (MFA), jointly with a proposal to conduct a two-day workshop in November with participation of members of the Inter-Ministerial Commission in Charge of Bringing Turkmen Legislation in Compliance with International Standards.

#### IDHR READY TO FOCUS ON LAW ON RELIGION

¶4. (U) The IDHR also requested ICNL's analysis of the existing Law on Religious Organizations and provided ICNL with the electronic version. (NOTE: This had already been proposed to IDHR by USAID in a formal letter on March 17. END NOTE). As a first step, ICNL agreed to translate the law into English and then recruit a leading international expert in legislation for religious organizations, Dr. Cole Durham, to provide recommendations. ICNL anticipates the analysis will be prepared by July, after which a draft version will be shared informally with IDHR for comments. In late summer 2008, after incorporating IDHR's recommendations, ICNL will formally submit its analysis to the Institute via USAID and the MFA. Subject to funding availability and desire from the host government, ICNL could include a presentation and discussion of the analysis of this law into the agenda of the proposed November workshop.

#### INTERNATIONAL EXPERTS TO SERVE AS CONSULTANTS

¶5. (U) Ahmedova proposed -- for the first time ever -- international experts could be invited to participate in the Commission's meetings as consultants. She also suggested that participants of the Inter-Ministerial Commission in Charge of Bringing Turkmen Legislation into Compliance with the International Standards will request that USAID and ICNL organize a study tour on European and international best practices of regulation of NGOs during the November workshop. With IDHR's support, ICNL would then draft a letter to the MFA proposing a study tour during the last week of January 2009. Ahmedova suggested 10 government

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representatives (NOTE: Two each from IDHR, parliament, and Ministries of Justice, Foreign Affairs, and Economic Development. END NOTE.) be included in the trip to Hungary, as proposed by ICNL. ICNL's European affiliate, ECNL, will organize and host the tour.

¶6. (U) Following the study tour, in the last week of March 2009, participants of the study tour, many of whom are expected to be members of the Inter-Ministerial Commission, will organize a roundtable to present their findings from the study tour and suggest specific legislative initiatives for Turkmenistan. An illustrative list of such initiatives includes revisions to the law on Public Associations, revisions to the Tax Code, recommendations on improving registration procedures of Public Associations and Foreign NGOs, legislation promoting charities, and establishing procedures to allow foundations. Contingent on funding, ICNL is prepared to assist with specific legislative initiatives that result.

¶7. (SBU) COMMENT: The Institute has fully embraced USAID and ICNL as a valued partner. And, based on the MFA's attitude toward ICNL, as evidenced by its permitting ICNL's representatives to meet unsupervised on April 5 with the Institute's director, it appears that the MFA (and, thus, the Ministry of National Security) has also given its blessing to this relationship. Together with the Institute, USAID/ICNL has laid out ambitious plans for cooperation over the next year. Although it seems that she has such latitude, the challenge ahead for the Institute's director will be to move from receiving information on international experience to developing laws that reflect such standards. Based on its position of increasing trust, USAID/ICNL is well-positioned to support the Institute's courageous director in her quest. END COMMENT.

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